| 1<br>2<br>3<br>4 | JOSEPH P. RUSSONIELLO (CSBN 44332)<br>United States Attorney<br>JOANN M. SWANSON (CSBN 88143)<br>Chief, Civil Division<br>MELANIE L. PROCTOR (CSBN 228971)<br>Melanie.Proctor@usdoj.gov<br>Assistant United States Attorney |                                      |  |
|------------------|---|--------------------------------------|--|
| 5<br>6           | 450 Golden Gate Avenue, Box 36055<br>San Francisco, California 94102-3495<br>Telephone: (415) 436-6730  |                                      |  |
| 7                | FAX: (415) 436-7169   |                                      |  |
| 8                | Attorneys for Defendants  |                                      |  |
| 9                | UNITED STATES DISTRICT COURT  |                                      |  |
| 10               | NORTHERN DISTRICT OF CALIFORNIA   |                                      |  |
| 11               | SAN JOSE DIVISION   |                                      |  |
| 12               | RAJESHKUMAR PATEL,  | ) No. C 08-5093 JW                   |  |
| 13               | Plaintiff,  | )<br>)                               |  |
| 14               | v.  | STIPULATED DISMISSAL; PROPOSED ORDER |  |
| 15               | ROSEMARY MELVILLE, District Director, United States Citizenship and   | )                                    |  |
| 16               | Immigration Services, et al.,   | )<br>)                               |  |
| 17               | Defendants.   | )<br>)                               |  |
| 18               | Plaintiff, by and through his attorney of record, and Defendants, by and through their  |                                      |  |
| 19               | attorneys of record, hereby stipulate to dismissal of the above-entitled action in light of the fact the  |                                      |  |
| 20               | United States Citizenship and Immigration Services is ready to adjudicate Plaintiff's application for   |                                      |  |
| 21               | naturalization, and will do so within 30 days of dismissal of this action.  |                                      |  |
| 22               | ///   |                                      |  |
| 23               | ///   |                                      |  |
| 24               | ///   |                                      |  |
| 25               | ///   |                                      |  |
| 26               | ///   |                                      |  |
| 27               | ///   |                                      |  |
| 28               | ///   |                                      |  |
| 20               | STIPULATED DISMISSAL  |                                      |  |
|                  | No. C 08-5093 JW  |                                      |  |

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|                      | 1   |   |  |
|----------------------|---|---|--|
| 1                    | The parties shall bear their own costs and fees.  |   |  |
| 2                    | Dated: December 12, 2008  | Respectfully submitted,   |  |
| 3<br>4               |   | JOSEPH P. RUSSONIELLO<br>United States Attorney   |  |
| 5                    |   | /s/   |  |
| 6                    |   | MELANIE L. PROCTOR <sup>1</sup> Assistant United States Attorney Attorneys for Defendants |  |
| 7                    | Dated: December 12, 2008  |   |  |
| 8                    | Dated. December 12, 2000  | /s/   |  |
| 9<br>10              |   | CHARLES E. NICHOL Attorney for Plaintiff  |  |
| 11                   | PROPOSED ORDER  |   |  |
| 12                   | Pursuant to stipulation, IT IS SO ORDERED.  |   |  |
| 13                   | TERMINATED, and the Case Management Conference s  |   |  |
|                      | VACATED. The Clerk shall close the file.  | scheduled for June 1, 2007, is hereby   |  |
| 14<br>15             | Dated: December 12, 2008  | $\circ$ 1.1   |  |
|                      | Dated. December 12, 2006  | James Ubse  |  |
| 16                   |   | United States District Judge  |  |
| 17                   |   |   |  |
| 18<br>19             |   |   |  |
| 20                   |   |   |  |
| 21                   |   |   |  |
| 22                   |   |   |  |
| 23                   |   |   |  |
| 24                   |   |   |  |
| 2 <del>4</del><br>25 |   |   |  |
|                      |   |   |  |
| 26<br>27             |   |   |  |
| 28                   | <sup>1</sup> I, Melanie L. Proctor, hereby attest that I have or signatures indicated by a "conformed" signature (/s/) within | n file all holograph signatures for any n this efiled document.                           |  |
|                      | STIPULATED DISMISSAL  |   |  |

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